

REMARKS

The present amendment is responsive to the Office Action mailed in the above-referenced case on July 03, 2001. In the Office Action claims 6-9, and 14-16 are presented for examination. Claims 6-9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Andrews et al. (USP 5,848,143) hereinafter Andrews in view of Gottlieb (US 5,920,621) hereinafter Gottlieb, or Lindeberg et al (US 6,094,479), hereinafter Lindeberg. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Andrews.

Applicant has studied the prior art provided by the Examiner in detail, and the Examiner's remarks in rejection of the claims. In response, applicant herein argues the validity of the obviousness rejections presented by the Examiner. There are no amendments to the claims herein made in the present amendment.

Regarding claims 6-9, the Examiner simply reproduced the rejection made in paper no. 15 for claims 6-10. The Examiner states that Andrews differs from the claims in that Andrews does not teach the use of the SCP processor to route incoming calls based on agent status. However, the Examiner states, such a feature is well known in the art of telephony. The Examiner relies on Gottlieb and Lindeberg to teach a SCP processor capable of routing calls based on agent status.

Applicant respectfully points out that Andrews also fails to disclose that the SCP processor is in the Internet as claimed. Applicant reproduces the same argument presented in the last amendment, which was not dealt with by the Examiner. Applicant argued that Gottlieb and Lindeberg do not teach intelligent routing of IPNT calls at all, nor do they suggest a motivation to do so. At the time the present invention was filed

intelligent routing at the Internet network level did not exist in the art.

Internet routing nodes known in the art were simply not capable of doing skill-based routing. These nodes are limited to using routing tables.

Applicant's invention provides a new and innovative approach to IPNT call routing wherein a SCP in the Internet has access to specific information from an IPNT capable call center to intelligently route IPNT calls at the data network level.

Applicant argues that the combination of the prior art presented by the Examiner fails to produce the connection of a database at the customer premises connected to a SCP processor, in the Internet. Applicant respectfully requests that the Examiner respond to the argument that the prior art discloses absolutely no routing intelligence at the data network level as claimed.

Applicant argues that nowhere in the art of Gottlieb, Lindbergh, or Andrews is there a teaching or suggestion to control routing at the Internet Network level. Surely the Examiner is aware of the difference between IPNT in the Internet and conventional telephony. The processors in Gottlieb and Lindbergh are unable to communicate with a router in a data packet network, such as the Internet, using an IPNT protocol as claimed. As agreed by both the Examiner and the Applicant, Andrews does not teach any network-level routing. **Therefore, the combination of Andrews, Gottlieb and/or Lindbergh would fail because there is no component disclosed in the prior art capable of controlling a router in an Internet Network.**

Applicant's invention expands on a recent development in telephony art is what is known as Internet Protocol Network Telephony (IPNT), wherein conventional telephone calls are simulated between computers over the data network known as the Internet, using microphones and speakers operating with the computers and a graphical user interface operable on each connected computer. At the time of the present patent

application such data networks are considered largely “dumb” networks rather than intelligent networks, although some routing is done. Calls are routed in the Internet, for example, by IP addresses, and IP switches and hubs are capable of altering the destination of data packets by controlling IP addresses.

Applicant believes that the Examiner must provide a valid reference which provides a reasonable teaching of accomplishing intelligent routing in the Internet in order to substantiate a rejection of applicant’s claims based on prior art.

Applicant points out that any suggestion or motivation to provide intelligent routing in the Internet could only come from applicant’s own specification. Andrews, which discloses receiving Internet calls, stops short of teaching or remotely suggesting controlling call routing at the Internet level. Gottlieb and Lindbergh also fail to provide any motivation for controlling the routing of calls at the internet level. Applicant believes claim 6 is clearly patentable over the 103 rejection presented by the Examiner. Claims 7-9 are then patentable at least as depended from a patentable claim.

Claim 14 recites a connection between an Internet routing server in the Internet and a database at the customer premises storing processed information about transactions in the call center, including at least one of call volume, agent status, or agent skills at the remote IPNT call center. Applicant believes, after reviewing the Examiner’s statements, that the Examiner is confused as to what is actually being claimed in claim 14. The Examiner states that Andrews teaches an Internet Protocol network telephony system having a routing server (48) and database (54). The Examiner states that the routing server routes the incoming calls to the agents using stored and processed information in the database (historical information) about transactions including agent skill, status, availability etc. (see col. 6, lines 31-35 and 42-62). The Examiner states that

Andrews differs from the claims in that Andrews' database is within the call center as opposed to being located remotely from the call center.

Applicant respectfully points out to the Examiner that applicant's claim language specifically recites that the (IPNT) call processing system is in the Internet, routing incoming calls to at least one agent workstation in an IPNT-capable call center. Applicant's claim language recites that the database is connected to the Internet routing server receiving and storing processed information about transactions in the call center. Applicant does not claim that the database is in the Internet, or located remotely. Andrews' routing system is not in the Internet as claimed. Andrews' routing system including the database is at the call center. It is clear to applicant that the Examiner has mis-read applicant's claim language, therefore the rejection is not valid.

Further, applicant argues that the database 54 in Andrews is not connected to an Internet routing server, as claimed, receiving and storing processed information about transactions in the call center, including at least one of call volume, agent status, or agent skills at the remote IPNT call center.

Fig. 2 of Andrews discloses a system showing a COST system having Agent systems 24, 26, and 28, long distance carrier networks (COST) 12, 14, and 16, and database 54 for storing information for Agent systems 24, 26 and 28 (Col. 5, line 59 through to col. 6, line 33).

Fig. 10 of Andrews shows an embodiment wherein DNT calls are received from the Internet and routed to "Internet Agents". Andrews teaches Router 470 controls routing to and through the Internet agents 482 and/or multimedia services 484 of Internet calls connected to the Internet server 480 via the Internet network 408, based upon the control signals received from the central controller. Preferably, the type of multimedia information supplied from the server 484 to the Internet callers is based

upon control signals supplied thereto by the active central controller generated based upon service requests from the Internet callers. Such information may be related to the type of service requested by the Internet caller, product or transaction information, the caller's customer accounts, if any, etc. Agent system 402, of Andrews also comprises a database of caller-related information 476 (e.g., previous caller transactions, profile, and/or account information indexed by caller-identifying information, such as caller telephone number, Internet address, and the like) (col. 12, lines 1-46).

Andrews does not teach a database connected to a routing server in the Internet, receiving and storing processed information about transactions in the call center, including at least one of call volume, agent status, or agent skills at the remote IPNT call center. The database in Andrews does not store processed information about IPNT call centers as claimed.

Applicant believes claim 14 is patentable over the prior art provided by the Examiner as argued above and on behalf of claim 6, the prior art simply fails to provide Intelligent routing at the Internet network level.

Claim 15 is patentable at least as depended from a patentable claim.

Claim 16 is applicant's method claim associated with base claim 14. Claim 16 clearly recites a CTI processor having a connection to a database in the Internet wherein the routing processor in the Internet uses the information in the database to perform intelligent routing for incoming IPNT calls.

As previously argued on behalf of claim 6 and 14 above, the prior art does not specifically teach any connections to routing processors, servers or nodes, in the Internet enabling intelligent routing of the incoming IPNT calls. Applicant believes this aspect is inventive and certainly not suggested, nor is a combination of the art suggested in the art

of Andrews, Gottlieb or Lindeberg. Therefore, claim 16 is also patentable over the prior art presented by the Examiner.


As all of the claims presented by the applicant have been shown to be patentable over the prior art in this case, applicant respectfully requests reconsideration to allow the claims, and the case passed quickly to issue.

If any fees are due beyond fees paid with this amendment, authorization is made to deduct those fees from deposit account 50-0534. If any time extension is needed beyond any extension requested with this amendment, such extension is hereby requested.

Version With Markings to Show Changes Made

There are no amendments to the claims or specification made in the present Response.

Respectfully Submitted,
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